
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TYSHANE LYNCH,

Plaintiff,

versus

SAMUEL HORN, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:16-CV-345

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Tyshane Lynch, a prisoner previously confined at the Jasper County Jail, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Samuel Horn, Marcus Barber, and Rachel Lewis.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends denying defendants' motion for summary judgment.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (#49) is **ADOPTED**. Defendants' motion for summary judgment (#36) is **DENIED**.

SIGNED at Beaumont, Texas, this 14th day of March, 2018.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE